

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Guy Pfalzgraff, and Ed Sisson, along with City Manager Joe Kerby and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

City Manager Joe Kerby reported that an amended agenda was sent out yesterday afternoon adding an additional item to the Executive Session.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the minutes of November 1, 2011 as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Public Hearing: 2012 Budget

The Mayor recessed the regular meeting and convened a public hearing.

The Mayor called for public comment, when there was none she closed the public hearing and reconvened the regular meeting.

Resolution #8, 2011; Setting the Mill Levy

Resolution #8, 2011

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR
THE YEAR OF 2011 TO HELP DEFRAY THE COSTS OF
GOVERNMENT OF THE CITY OF DELTA, COLORADO, FOR
THE 2012 BUDGET YEAR

was read by the Clerk.

The Finance Director explained that adoption of Resolution #8, 2011, will set the mill levy at zero mills.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Raley to adopt Resolution #8, 2011. Roll call vote: Councilmember Jurca, aye; Raley aye; Pfalzgraff, aye; Sisson, aye; and Cooper, aye. Motion carried.

Resolution #9, 2011; Adopting the 2012 Budget

Resolution #9, 2011

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF
DELTA, COLORADO, FOR THE CALENDAR YEAR BEGINNING
THE FIRST DAY OF JANUARY, 2012, AND ENDING ON THE
THIRTY-FIRST DAY OF DECEMBER, 2012

was read by the Clerk.

Manager Kerby reported that there was a calculation error on the Debt Service Fund. The corrected amount is \$1,779,305.

Councilmember Raley stated that after the article in the paper was released he has received several phone calls from citizens and business owners regarding the Pow Wow. They voiced concerns about the Pow Wow continually losing money year after year.

Regular Meeting, Delta City Council, November 15, 2011 (Cont.)

Resolution #9, 2011 (cont.)

Councilmember Sisson also received phone calls stating the same concerns. He stated that with the budget as tight as it is he doesn't think the City can afford to lose money on the event.

Councilmember Pfalzgraff questioned if the amount of the Pow Wow is currently in the budget under the Recreation Center Fund.

Councilmember Raley suggested taking it out of the budget.

Manager Kerby reported that the budget at this time does include \$55,000 in the Recreation Center Fund for the Pow Wow.

Mayor Cooper stated that if the Recreation Center believes they can handle this in the budget then we should allow it to remain. She also stated she understands the concerns, however, she feels the City needs to do something. If the Pow Wow is dropped and the City doesn't do anything she is concerned about Delta in general. She will support Council however they wish to proceed.

Councilmember Pfalzgraff questioned what the options are to continue.

Manager Kerby recommended that if Council wants to proceed without the Pow Wow being funded that they approve the budget as presented with an amendment to the Recreation Center Fund.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to adopt Resolution #9, 2011 with amendments to the Recreation Fund to reflect a decrease of \$55,000.

Councilmember Pfalzgraff voiced his concern on how this is being handled. He stated that these concerns should have been brought up during the work sessions.

Roll call vote: Councilmember Jurca, aye; Raley aye; Pfalzgraff, nay; Sisson, aye; and Cooper, nay. Motion carried.

Council Bill #6, 2011; First Reading
2012 Appropriations

Council Bill #6, 2011

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE
VARIOUS FUNDS AND SPENDING AGENCIES IN THE
AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW
FOR THE CITY OF DELTA, COLORADO, FOR THE 2012
BUDGET YEAR

was read by the Clerk.

Director DeZeeuw stated that there will need to be amendments made to the Recreation Fund to reflect an amount of \$2,680,980 and the Debt Service Fund in the amount of \$1,779,305.

Councilmember Raley questioned the request from the Center for Mental Health.

Manager Kerby reported that request has not been funded in the past few years. The budget does not reflect the amount requested.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to adopt Council Bill #6, 2011 on first reading with the amendments to the Recreation Center Fund to reflect \$2,680,980 and the Debt Service Fund to reflect \$1,779,305. Roll call vote: Councilmember Jurca, aye; Raley aye; Pfalzgraff, nay; Sisson, aye; and Cooper, aye. Motion carried.

Regular Meeting, Delta City Council, November 15, 2011 (Cont.)

Ordinance #5, 2011; Second and Final Reading
2012 Electric Rates

Ordinance #5, 2011

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING SECTION 13.04.120 OF THE DELTA MUNICIPAL
CODE TO ESTABLISH NEW ELECTRIC RATES

was introduced as Council Bill #5, 2011 and read by the Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to adopt Council Bill #5, 2011 on second and final reading. Roll call vote: Councilmembers Jurca, aye; Raley, aye; Pfalzgraff, aye; Sisson, aye; and Cooper, aye. Motion carried. Council Bill #5, 2011 was adopted on second and final reading as Ordinance #5, 2011.

Parade Permit; Delta Area Chamber of Commerce

City Clerk Jolene Nelson explained that the Delta Area Chamber of Commerce has submitted an application for a parade permit for the Parade of Lights. She stated that the permit is complete and all fees have been paid. She contacted the Police Department as well as the Public Works Department and they have expressed concerns regarding having the parade end at 2nd Street.

Manager Kerby presented Council with the concerns regarding bringing the parade to 2nd Street. He stated that staff feels this is a safety concern for the fact that they have traffic coming off of Main Street until 2nd Street.

Councilmember Raley reported that for years the parade only went to 3rd Street.

There was discussion regarding business owners on the two hundred block of Main Street who voiced concerns about ending the parade at 3rd Street.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the Parade Permit for the Delta Area Chamber of Commerce's Parade of Lights scheduled for December 2, 2011 with the parade ending at 3rd and Main for safety concerns. All in favor, motion carried.

Liquor License Renewals:

Retail Liquor Store; Grand Valley Liquors

Club Liquor License; BPOE Lodge No 1235

Tavern Liquor License; Sports Center Lounge

The Clerk reported that Grand Valley Liquors has submitted their Retail Liquor Store renewal. The application is complete and all fees have been paid. The Delta Police Department has recommended renewal.

She also reported that BPOE Lodge No 1235 has submitted their Club Liquor License renewal. Their application is also complete and all fees have been paid. The Delta Police Department has recommended renewal.

Ms. Nelson also stated that Sports Center Lounge has submitted their Tavern Liquor License Renewal. They also have completed the application and paid all fees. The Delta Police Department has also recommended renewal for this license.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Raley to approve the Retail Liquor Store License for Grand Valley Liquors, the Club Liquor License for BPOE Lodge No 1235 and the Tavern Liquor License for Sports Center Lounge. All in favor, motion carried.

City Attorney Comments

City Attorney Michael Schottelkotte stated that he is glad to be back from his vacation.

Regular Meeting, Delta City Council, November 15, 2011 (Cont.)

City Manager Comments

Manager Kerby reported on the following items:

- Business after hours is this Thursday at the Library.
- The name contest for the open space property is underway. The submissions are due by November 30, 2011.
- The Recreation Center pool pack bids were due today.
- A TABOR refund will be issued to residents in the amount of approximately \$75,000 for 2010 budget year. The refund will be issued as a credit to the utility bills.
- A special meeting is scheduled for next Monday at 5:00pm. There will be two public hearings, one for Best Western Sundance Liquor License and also for the CDBG grant application that is due December 1st, 2011. There also will be a liquor license renewal for Peterson's Liquors.
- City offices will be closed Thursday and Friday for observance of Thanksgiving.
- Centennial Park is currently under remodel.
- Great Outdoors Colorado staff has recommended approval for the GOCO grant that the City submitted for the reimbursement of the purchase of the open space property. The grant amount was for \$175,000.

Councilmember Comments

There were none.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Raley to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for discussions regarding Confluence Drive and also for discussions regarding the water bill due by the Delta Center PUD property owners. All in favor, motion carried.

At 7:28 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 8:18 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Robert Jurca, Bill Raley, Guy Pfalzgraff and Ed Sisson; along with City Manager Joe Kerby. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

Jolene E. Nelson, City Clerk